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REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)  
81090529

In re Application of: Stephen W. Magner and Mrdjan J. Jankovic

Application No.: 10/714,167

Filed: November 13, 2003

For: COMPUTER READABLE STORAGE MEDIUM FOR USE WITH ENGINE HAVING VARIABLE VALVE ACTUATOR

The owner\*, Ford Global Technologies, LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/714,682, filed on November 13, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2.  The undersigned is an attorney or agent of record. Reg. No. 47,048

Signature

January 18, 2005

Date

John D. Russell  
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